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STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER
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DIXON, THOMAS A

ART UNIT	PAPER NUMBER
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3628

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/12/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/667,235

Applicant(s)

BAGGETT ET AL.

Examiner

Thomas A. Dixon

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-64 and 140-171 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 141-149, 152-164, 166 and 170 is/are allowed.
- 6) ☒ Claim(s) 1-9, 14-16, 22-27, 37, 43-53, 55, 57-60, 62-64, 140, 150, 151, 165, 167-169 and 171 is/are rejected.
- 7) ☒ Claim(s) 10-13, 17-21, 28-36, 38-41, 56 and 61 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The amendment of 2/5/07 has been considered. Claims 1-64 and 140-171 are active, claims 65-139 have been cancelled.
2. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., clarifications from the specification as to the determination of the time related to N, the expectations or unlikelihood of user's requests) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Further, it is seen that DeMarcken teaches both monitoring the age of data, which is seen to disclose the N claimed, and predictive modeling which is seen to disclose the expectations and likelihood claimed.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 23, 24, 42, 62, 150, 151, 165 and 171 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per Claims 23, 24, 150, 151.

The metes and bounds of the claim cannot be determined because it is unclear how many seconds are in an "N".

As per Claims 42, 165.

The filtering out of queries related to flights that users are not expected to request is indefinite, it is unclear how this expectation is determined.

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As per Claims 62, 171.

The phrase "within a period of time" and "within the period of time" renders the claim indefinite, further it is unclear how this "likelihood" is determined.

### ***Double Patenting***

A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

4. Claims 6, 10-13, 17-21, 28-36, 38-42, 54-55, 61-62 are objected to under 37 CFR 1.75 as being a substantial duplicate of claims 140-149, 152-167, 170-171. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

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The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-9, 14-16, 23-25, 37, 43-53, 55, 58-60, 140, 167-169 are rejected under 35 U.S.C. 102(e) as being anticipated by DeMarcken et al (WO 00/46715).

As per Claim 1.

DeMarcken et al disclose:

querying one or more airline availability information sources for airline availability information, see abstract, page 7, lines 1-28, page 9, line 19 - page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32;

receiving the requested airline availability information from one or more airline availability sources, see page 9, line 19 - page 12, line 3;

caching the received airline availability information, see page 9, line 19 - page 12, line 3;

receiving queries from requestors for airline availability information, see page 11, line 32 – page 12, line 3;

prioritizing the requestor queries, see page 11, lines 4-7, page 17, lines 27-34, page 18, lines 24-30 and page 21, lines 2-11;

processing the requestor queries in accordance with the associated priorities, see page 11, lines 4-7, page 17, lines 27-34, page 18, lines 24-30 and page 21, lines 2-11;

determining to provide requestors with at least one of real-time airline availability information and cached airline availability information based at least in part on one or more factors associated with one or more of the requestors, the requestor queries, the requested airline availability information, and the airline availability information sources, see abstract, page 7, lines 1-28, page 9, line 19- page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32; and

providing information to the requestors in accordance with the determining, see figure 9.

As per Claim 2.

DeMarcken et al further discloses:

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monitoring airline availability information traffic between an airline availability source and one or more clients of the airline availability source, see abstract, page 7, lines 1-28, page 9, line 19- page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32; and

caching at least a portion of the monitored airline availability information, see abstract, page 7, lines 1-28, page 9, line 19 - page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32.

As per Claim 3.

DeMarcken et al further discloses:

proactively generating one or more queries independent of requestor queries, see abstract, page 7, lines 1-28, page 9, line 19- page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32; and

sending one or more proactively generated queries to an airline availability information source and caching information returned therefrom, see abstract, page 7, lines 1-28, page 9, line 19- page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32.

As per Claim 4.

DeMarcken et al further discloses:

monitoring airline availability information traffic between an airline availability source and one or more clients of the airline availability source, see abstract, page 7, lines 1-28, page 9, line 19- page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32; and

caching at least a portion of the monitored airline availability information, see abstract, page 7, lines 1-28, page 9, line 19- page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32;

proactively generating one or more queries independent of requestor queries, see abstract, page 7, lines 1-28, page 9, line 19- page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32; and

sending one or more proactively generated queries to an airline availability information source and caching information returned therefrom, see abstract, page 7, lines 1-28, page 9, line 19 - page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32.

As per Claims 5.

DeMarcken et al further discloses adding requestor and proactive queries to a query priority queue, proactive queries at a lower priority and processing the requestor queries and the proactively generated queries according to their priorities, see page 10, line 24 – page 11, line 7.

As per Claims 6, 140.

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DeMarcken et al further discloses separating queries into sub-queries, see page 8, lines 26-31, and further data regarding date/time when the queries are received, see page 10, lines 24-29.

As per Claim 7.

DeMarcken et al further discloses:

proactively generating queries to populate cache, see abstract, page 7, lines 1-28, page 9, line 19 - page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32.

As per Claim 8.

DeMarcken et al further discloses:

proactively generating queries to update cached information, see abstract, page 7, lines 1-28, page 9, line 19 - page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32.

As per Claim 9.

DeMarcken et al further discloses:

ordering the proactive queries for processing based on time-to-departures and age associated with cached information, see proactively generating queries to update cached information, see page 13, lines 6-15.

As per Claim 14, 23,24.

DeMarcken et al further discloses:

receiving a requestor preference for at least one of real-time or cached information and determining to provide the requestor with at least one of real-time or cached information based on the requestor preference, see page 13, lines 6-11 and figures 7 & 8.

As per Claim 15.

DeMarcken et al further discloses:

determining to provide a requestor with one or more of real-time or cached information based in part on one of the following factors:

age of cached information, see page 13, lines 6-11 and figures 7 & 8;

time of day, see page 13, lines 6-11 and figures 7 & 8;

preference for realtime or cached information, see page 13, lines 6-11 and figures 7 & 8;

nearness to time-to-departure, see page 13, lines 6-11 and figures 7 & 8.

As per Claim 16.

DeMarcken et al further discloses:

querying one or more sources through one or more proxies, see page 7, lines 9-15.

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As per Claim 25.

DeMarcken et al further discloses:

caching recently updated information separately from less recently updated information and searching the recently updated cached information when real time data is sought, see page 12, line 4 –page 12, line 15.

As per Claim 37.

DeMarcken et al further discloses:

sending the one or more proactively generated queries during periods of low information source activity, see page 11, lines 4-7.

As per Claim 43.

DeMarcken et al further discloses:

assigning priority to queries according to an associated market, see page 13, lines 6-15.

As per Claim 44.

DeMarcken et al further discloses:

assigning priority to queries according to a frequency of flights, see page 13, lines 6-15.

As per Claim 45.

DeMarcken et al further discloses:

assigning priority to queries associated with the frequency of changes associated with the availability of corresponding flights, see page 13, lines 6-15.

As per Claim 46.

DeMarcken et al further discloses:

assigning priority to queries according to a market importance, see page 13, lines 6-15.

As per Claim 47.

DeMarcken et al further discloses:

assigning priority to queries according to a nearness of departure time, see page 13, lines 6-15.

As per Claim 48.

DeMarcken et al further discloses:

assigning priority to queries according to an age of cached data, see page 13, lines 6-15.

As per Claim 49.

DeMarcken et al further discloses:



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assigning priority to queries according to a number of remaining available seats, see page 13, lines 6-15.

As per Claim 50.

DeMarcken et al further discloses:

assigning priority to queries according to anticipated increases in travel volume, see page 13, lines 6-15.

As per Claim 51.

DeMarcken et al further discloses:

assigning priority according to a type of product or a type of service, see page 13, lines 6-15.

As per Claim 52.

DeMarcken et al further discloses:

assigning lower priority to forms of ground transportation, see page 7, lines 1-4 and page 13, lines 6-15.

As per Claim 53.

DeMarcken et al further discloses:

assigning lower priority to flights that use propeller planes, see page 7, lines 1-4 and page 13, lines 6-15.

As per Claim 55, 167.

DeMarcken et al further discloses:

updating cached airline availability according to multiple priorities, see page 11, lines 8-14.

As per Claim 57, 168.

DeMarcken et al further discloses:

prioritizing the cached airline availability information according to departure times, see figure 8;

prioritizing the cached airline availability information according to one or more additional features, see figure 8 (airline);

updating cached airline availability according to multiple priorities, see page 11, lines 8-14.

As per Claim 58.

DeMarcken et al further discloses:

predicting availability status, see page 9, lines 3-9.

As per Claim 59.

DeMarcken et al further discloses:

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predicting availability status based on prior observed variables, see page 9, lines 3-14.

As per Claim 60, 169.

DeMarcken et al further discloses:

identifying one or more factors associated with availability status, page 9, lines 9-12;

learning a relationship between historical value for one or more factors and historical values for availability factors, see page 9, lines 13-27;

generating a function according to the learned relationship, see page 9, lines 13-34;

providing new values for the one or more factors to the function, whereby the function outputs predicted values for availability status, see page 9, lines 13-34

As per Claim 63.

DeMarcken et al disclose:

receiving a first request from a first requestor, see abstract, page 7, lines 1-28, page 9, line 19 - page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32;

querying one or more sources of information for the requested information, see abstract, page 7, lines 1-28, page 9, line 19 - page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32;

receiving the requested information from the source, see page 9, line 19 - page 12, line 3;

caching the received information, see page 9, line 19 - page 12, line 3;

receiving a query from a second requestor information, see page 11, line 32 – page 12, line 3;

determining to provide requestors with at least one of real-time information and cached information, see abstract, page 7, lines 1-28, page 9, line 19- page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32; and

providing information to the requestors in accordance with the determining, see figure 9.

As per Claim 64.

DeMarcken et al disclose:

receiving a first request from a first requestor, see abstract, page 7, lines 1-28, page 9, line 19 - page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32;

querying one or more sources of information for the requested information, see abstract, page 7, lines 1-28, page 9, line 19 - page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32;

receiving the requested information from the source, see page 9, line 19 - page 12, line 3;

caching the received information, see page 9, line 19 - page 12, line 3;

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receiving a query from a second requestor information, see page 11, line 32 – page 12, line 3;

determining to provide requestors with at least one of real-time information and cached information, see abstract, page 7, lines 1-28, page 9, line 19- page 12, line 3, page 12, line 32- page 13, line 34, page 15, line 16 – page 16, line 32; and

providing information to the requestors in accordance with the determining, see figure 9.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over DeMarcken et al (WO 00/46715) in view of Jafri et al (5,832,454).

As per Claim 22.

DeMarcken et al does not disclose:

Jafri et al ('454) databases with hotel, rental car and airline data as equivalent, see figure 2.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to process hotel rental car or any other availability data for the benefit of providing full itinerary planning service to the customer.

7. Claim 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeMarcken et al (WO 00/46715) in view of Ahlstromi et al (4,862,357).

As per Claim 26.

DeMarcken et al does not disclose discloses permitting the requestor to specify approximate departure times in the requests for airline availability information and searching the cache for the requested information.

Ahlstrom et al ('357) teaches allowing arrival and departure time ranges for the benefit of providing responsive itinerary planning service to the customer, see figure 4a-1 (78, 80, 82).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to permit the requestor to specify approximate departure times for the benefit of providing responsive itinerary planning service to the customer

As per Claim 27.

DeMarcken et al does not disclose rounding departure times.

Ahlstrom et al ('357) teaches rounding arrival and departure time ranges for the benefit of providing responsive itinerary planning service to the customer, see figure 4a-1 (78, 80, 82).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to round the arrival and departure times for the benefit of providing responsive itinerary planning service to the customer

### ***Allowable Subject Matter***

8. Claims 10-13, 17-21, 23-24, 28-36, 38-43, 54, 56, and 61 are objected to as being dependent upon a rejected base claim.

9. Claims 141-149, 152-164, 166, 170 are allowable.

As per Claim 141.

DeMarcken et al further discloses a storage of time before departure, and a threshold detector for minutes, hours or days, see page 13, lines 6-11 and figure 8.

The prior art of record, specifically DeMarcken et al, Jafri et al, Ahlstrom et al and Harris et al do not disclose or fairly teach:

ordering the proactive queries within buckets at least according to ages of previously cached information data associated with the proactive queries;  
re-bucketing the proactive queries as their associated time-to departures change;  
and

selecting a bucket for processing according to the ordering of the buckets, and processing proactive queries within the selected bucket, skipping proactive queries for which information is presently cached and the newer than a predetermined age.

As per Claim 145.

DeMarcken et al discloses querying one or more sources through one or more proxies, see page 7, lines 9-15.

The prior art of record, specifically DeMarcken et al, Jafri et al, Ahlstrom et al and Harris et al do not disclose or fairly teach:

monitoring operational status of the one or more proxies and selecting proxies for querying based on the monitored operational status.

As per Claim 146.

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DeMarcken et al discloses querying one or more sources through one or more proxies, see page 7, lines 9-15.

The prior art of record, specifically DeMarcken et al, Jafri et al, Ahlstrom et al and Harris et al do not disclose or fairly teach:

monitoring response times of the one or more proxies and selecting proxies for querying based at least on the response times.

As per Claim 147.

DeMarcken et al discloses querying one or more sources through one or more proxies, see page 7, lines 9-15.

The prior art of record, specifically DeMarcken et al, Jafri et al, Ahlstrom et al and Harris et al do not disclose or fairly teach:

maintaining a list of unsupported suppliers for which information is not yet available on the one or more information sources; and

returning queries for information from the unsupported suppliers without querying an information source.

As per Claim 148.

DeMarcken et al discloses querying one or more sources through one or more proxies, see page 7, lines 9-15.

The prior art of record, specifically DeMarcken et al and Harris et al do not disclose or fairly teach:

maintaining proxy records for available proxies in a proxy queue; and

removing a higher priority proxy record from the proxy queue to process a query.

As per Claim 149.

DeMarcken et al discloses querying one or more sources through one or more proxies, see page 7, lines 9-15.

The prior art of record, specifically DeMarcken et al, Jafri et al, Ahlstrom et al and Harris et al do not disclose or fairly teach:

maintaining a proxy queue as part of a query priority queue.

As per Claim 152.

DeMarcken et al further discloses separating queries into sub-queries, see page 8, lines 26-31, and further data regarding date/time when the queries are received, see page 10, lines 24-29.

The prior art of record, specifically DeMarcken et al, Jafri et al, Ahlstrom et al and Harris et al do not disclose or fairly teach:

initiating a control thread for a query, whereby the query includes one or more sub-queries;

initiating a worker thread for each sub-query associated with the query;

prioritizing the worker threads with respect to one another, and

processing the worker threads according to associated priorities.

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As per Claim 153.

DeMarcken et al further discloses a cache.

The prior art of record, specifically DeMarcken et al, Jafri et al, Ahlstrom et al and Harris et al do not disclose or fairly teach:

sharing flight availability count record between a plurality of flight records stored in a cache.

As per Claim 154.

DeMarcken et al further discloses a cache.

The prior art of record, specifically DeMarcken et al, Jafri et al, Ahlstrom et al and Harris et al do not disclose or fairly teach:

associating multiple flight records as married flight records in a cache; and sharing flight availability count record between at least one of the multiple flight records and another flight record in the cache.

As per Claim 155.

DeMarcken et al further discloses a cache.

The prior art of record, specifically DeMarcken et al, Jafri et al, Ahlstrom et al and Harris et al do not disclose or fairly teach:

searching for cached information after waiting a predetermined time for real-time information.

As per Claim 156.

DeMarcken et al further discloses a communicating through proxies.

The prior art of record, specifically DeMarcken et al, Jafri et al, Ahlstrom et al and Harris et al do not disclose or fairly teach:

communicating with at least a portion of the one or more information sources through proxies, whereby the proxies interface with at least a portion of the one or more of the information sources specific codes.

As per Claim 161.

DeMarcken et al further discloses a proactively generating.

The prior art of record, specifically DeMarcken et al, Jafri et al, Ahlstrom et al and Harris et al do not disclose or fairly teach:

generating background threads that appear to come from requestors.

As per Claim 162.

DeMarcken et al further discloses a proactively generating.

The prior art of record, specifically DeMarcken et al, Jafri et al, Ahlstrom et al and Harris et al do not disclose or fairly teach:

filtering one or more queries out of proactive caching.

As per Claim 166.

DeMarcken et al further discloses a proactively generating.

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The prior art of record, specifically DeMarcken et al, Jafri et al, Ahlstrom et al and Harris et al do not disclose or fairly teach:

proactively generating queries independent of requestor queries and assigning priority to the proactively generated queries according to a total number of seats available.

As per Claim 170.

DeMarcken et al further discloses a proactively generating.

The prior art of record, specifically DeMarcken et al, Jafri et al, Ahlstrom et al and Harris et al do not disclose or fairly teach:

separating and prioritizing sub-queries of a first and second user with one another;

placing the one or more sub-queries in a priority queue and ordering them according to associated times of receipt, resolving priority disputes between simultaneously received queries so that higher priority sub-queries are processed before lower priority sub-queries;

processing the sub-queries according to their associated priorities.

The claims that depend from the above allowed claims are allowable for the same reasons.

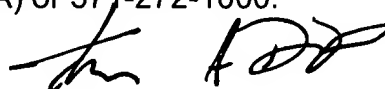
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**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Dixon whose telephone number is (571) 272-6803. The examiner can normally be reached on Monday - Thursday 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Thomas A. Dixon  
Primary Examiner  
Art Unit 3628

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